

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 25, 2025**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ZACHARY J. BIGGS,

Petitioner,

v.

SCOTT SPEER,

Respondent.

Case No. 2:24-CV-0427-TOR

ORDER DISMISSING HABEAS  
CORPUS PETITION

On January 23, 2025, Petitioner Zachary J. Biggs was ordered to show cause why his Petition for a Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 should not be dismissed as time-barred under 28 U.S.C. § 2244(d). ECF No. 7. Petitioner is in custody pursuant to a judgment of a state court and is currently housed at the Stafford Creek Corrections Center. ECF No. 1 at 2. Petitioner is proceeding *pro se* and has paid the \$5.00 filing fee. Respondent has not been served.

1 In the Order to Show Cause, the Court cautioned Petitioner that his failure to  
2 show cause why this action should not be dismissed as time-barred would be  
3 construed as his consent to the dismissal of this action. ECF No. 7 at 12. Petitioner  
4 did not respond to the Order to Show Cause within thirty days as directed and has  
5 filed nothing further in this action.

6 Accordingly, for the reasons set forth in the Order to Show Cause, ECF No.  
7 7, **IT IS ORDERED** that the Petition, ECF No. 1, is **DISMISSED with prejudice**  
8 as time-barred under 28 U.S.C. § 2244(d).

9 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,  
10 **enter judgment**, forward copies to Petitioner, and **CLOSE** the file. The Court  
11 further certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision  
12 could not be taken in good faith, and there is no basis upon which to issue a  
13 certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

14 **DATED** February 25, 2025.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
United States District Judge